

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Case No. 7:11-CV-00165-BO**

**FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver for  
COOPERATIVE BANK,**

**Plaintiff,**

**v.**

**FREDERICK WILLETTS, III, PAUL G.  
BURTON, JAMES D. HUNDLEY,  
HORACE THOMPSON KING, III,  
OTTIS RICHARD WRIGHT, JR.,  
RICHARD ALLEN RIPPY, FRANCIS  
PETER FENSEL, JR., DICKSON B.  
BRIDGER, and OTTO C. "BUDDY"  
BURRELL, JR.**

**Defendants.**

**DEFENDANTS' MOTION FOR  
RECONSIDERATION UNDER FED. R.  
CIV. P. 54(b) OR, IN THE ALTERNATIVE,  
TO CERTIFY ORDER FOR  
INTERLOCUTORY APPEAL  
UNDER 28 U.S.C. § 1292(b)**

**Fed. R. Civ. Pro. 54(b)  
28 U.S.C. § 1292(b)**

**MOTION**

Pursuant to Federal Rule of Civil Procedure 54(b), Defendants Frederick Willetts, III, Paul G. Burton, James D. Hundley, Horace Thompson King, III, Ottis Richard Wright, Jr., Richard Allen Rippy, Francis Peter Fensel, Jr., Dickson B. Bridger, and Otto C. "Buddy" Burrell, Jr., hereby request that the Court reconsider its April 16, 2012 Order denying Defendants' Motion to Dismiss. Alternatively, Defendants request that the Court certify its Order for interlocutory appeal pursuant to 28 U.S.C. 1292(b). The grounds for granting the motion are set forth in Defendants' supporting memorandum of points and authorities, filed contemporaneously herewith and incorporated by reference herein.

Respectfully submitted,

April 30, 2012

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 30th day of April, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

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